

AMENDED IN SENATE MARCH 6, 2003

SENATE BILL

No. 60

Introduced by Senator Cedillo

January 15, 2003

An act ~~relating to public safety~~ to amend Sections 1653.5, 12800, 12801, and 12801.5 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 60, as amended, Cedillo. ~~Public safety~~ Vehicles: social security number: driver's licenses: identification cards.

(1) Under existing law, every form prescribed by the Department of Motor Vehicles for use by an applicant for the issuance or renewal by the department of a driver's license or identification card is required to contain a section for the applicant's social security account number. Existing law requires an applicant who submits one of those forms to the department to furnish the appropriate number in the space provided. Existing law prohibits the department from completing an application that does not include the applicant's social security account number. Existing law prohibits the department from including an applicant's social security account number on a driver's license, identification card, registration, certificate of title, or any other document issued by the department. Existing law declares that information obtained by the department regarding an applicant's social security account number is not a public record and prohibits the department from disclosing that information except in specified circumstances.

This bill would require those forms to contain a section for either the applicant's social security account number or federal taxpayer identification number. The bill would prohibit the department from including an applicant's federal taxpayer identification number on a

driver's license, identification card, registration, certificate of title, or any other document issued by the department. The bill would declare that information obtained by the department regarding an applicant's taxpayer identification number is not a public record and would prohibit the department from disclosing that information, except in specified circumstances.

(2) Existing law requires the department to require every applicant for an original driver's license or identification card to submit satisfactory proof that the applicant's presence in the United States is authorized under federal law and prohibits the department from issuing a license or card to a person who does not do so. Existing law requires the department to adopt regulations, including procedures for verifying citizenship or legal residency of applicants for driver's licenses and identification cards.

This bill would repeal those requirements.

~~Existing law provides for public safety.~~

~~This bill would set forth the intent of the Legislature that the State of California shall develop criteria and procedures to improve public safety, responsibility, and accountability for all Californians.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. It is the intent of the Legislature to ensure~~
2 ~~California's future public safety and prosperity by improving~~
3 ~~highway and road conditions for all Californians.~~

4 ~~SEC. 2. It is the intent of the Legislature that the State of~~
5 ~~California shall develop criteria and procedures to improve public~~
6 ~~safety, responsibility, and accountability for all Californians.~~

7 *SECTION 1. Section 1653.5 of the Vehicle Code is amended*
8 *to read:*

9 1653.5. (a) Every form prescribed by the department for use
10 by an applicant for the issuance or renewal by the department of
11 a driver's license or identification card pursuant to Division 6
12 (commencing with Section 12500) shall contain a section for
13 *either the applicant's social security account number or federal*
14 *taxpayer identification number.*

15 (b) Every form prescribed by the department for use by an
16 applicant for the issuance, renewal, or transfer of the registration

1 or certificate of title to a vehicle shall contain a section for the
2 applicant's driver's license or identification card number.

3 (c) ~~Any~~ A person who submits to the department a form that,
4 pursuant to subdivision (a), contains a section for the applicant's
5 social security account number *or federal taxpayer identification*
6 *number*, or pursuant to subdivision (b), the applicant's driver's
7 license or identification card number, if any, shall furnish the
8 appropriate number in the space provided.

9 (d) The department ~~shall~~ *may* not complete ~~any~~ *an* application
10 that does not include the applicant's social security account
11 number *or federal taxpayer identification number*, or driver's
12 license or identification card number as required by subdivision
13 (c).

14 (e) An applicant's social security account number ~~shall~~ *or*
15 *federal taxpayer identification number may* not be included by the
16 department on ~~any~~ *a* driver's license, identification card,
17 registration, certificate of title, or any other document issued by
18 the department.

19 (f) Notwithstanding any other provision of law, information
20 regarding an applicant's social security account number *or federal*
21 *taxpayer identification number*, obtained by the department
22 pursuant to this section, is not a public record and ~~shall~~ *may* not be
23 disclosed by the department except for any of the following
24 purposes:

25 (1) Responding to a request for information from an agency
26 operating pursuant to, and carrying out the provisions of, Part A
27 (Aid to Families with Dependent Children), or Part D (Child
28 Support and Establishment of Paternity), of Subchapter IV of
29 Chapter 7 of Title 42 of the United States Code.

30 (2) Implementation of Section 12419.10 of the Government
31 Code.

32 (3) Responding to information requests from the Franchise Tax
33 Board for the purpose of tax administration.

34 *SEC. 2. Section 12800 of the Vehicle Code is amended to read:*
35 12800. Every application for an original or a renewal of, a
36 driver's license shall contain all of the following information:

37 (a) The applicant's true full name, age, sex, mailing address,
38 residence address, and social security number *or federal taxpayer*
39 *identification number*.

1 (b) A brief description of the applicant for the purpose of
2 identification.

3 (c) A legible print of the thumb or finger of the applicant.

4 (d) The type of motor vehicle or combination of vehicles the
5 applicant desires to operate.

6 (e) Whether the applicant has ever previously been licensed as
7 a driver and, if so, when and in what state or country and whether
8 or not the license has been suspended or revoked and, if so, the date
9 of and reason for the suspension or revocation.

10 (f) Whether the applicant has ever previously been refused a
11 driver's license in this state and, if so, the date of and the reason
12 for the refusal.

13 (g) Whether the applicant, within the last three years, has
14 experienced, on one or more occasions, either a lapse of
15 consciousness or an episode of marked confusion caused by ~~any~~
16 a condition ~~which~~ *that* may bring about recurrent lapses, or
17 whether the applicant has ~~any~~ a disease, disorder, or disability
18 ~~which~~ *that* affects *his or her* ability to exercise reasonable and
19 ordinary control in operating a motor vehicle upon a highway.

20 (h) Whether the applicant understands traffic signs and signals.

21 (i) Whether the applicant has ever previously been issued an
22 identification card by the department.

23 (j) Any other information necessary to enable the department
24 to determine whether the applicant is entitled to a license under this
25 code.

26 *SEC. 3. Section 12801 of the Vehicle Code is amended to read:*

27 12801. (a) Notwithstanding any other provision of law, the
28 department shall require every application for a driver's license to
29 contain the applicant's social security number *or federal taxpayer*
30 *identification number*, and any other number or identifier
31 determined to be appropriate by the department.

32 (b) Notwithstanding any other law, the social security number
33 *or federal taxpayer identification number* collected on a driver's
34 license application ~~shall~~ *may* not be displayed on the driver's
35 license, including, but not limited to, inclusion on ~~any~~ a magnetic
36 tape or strip used to store data on the license.

37 *SEC. 4. Section 12801.5 of the Vehicle Code is amended to*
38 *read:*

39 12801.5. (a) ~~Notwithstanding any other provision of law, the~~
40 ~~department shall require every applicant for an original driver's~~

1 ~~license or identification card to submit satisfactory proof that the~~
2 ~~applicant's presence in the United States is authorized under~~
3 ~~federal law.~~

4 ~~(b) The department shall not issue an original driver's license~~
5 ~~or identification card to any person who does not submit~~
6 ~~satisfactory proof that the applicant's presence in the United States~~
7 ~~is authorized under federal law.~~

8 ~~(c) The department shall adopt regulations to carry out the~~
9 ~~purposes of this section, including procedures for, but not limited~~
10 ~~to, (1) verifying that the applicant's presence in the United States~~
11 ~~is authorized under federal law, (2) issuance of temporary licenses~~
12 ~~pending verification of status, and (3) appeals hearings from~~
13 ~~denials of licenses, temporary licenses, or identification cards.~~

14 ~~(d) On January 10, 1995, and on January 10 of each subsequent~~
15 ~~year thereafter, the department shall submit a supplemental budget~~
16 ~~report to the Governor and the Legislature detailing the costs of~~
17 ~~verifying the citizenship or legal residency of applicants for~~
18 ~~driver's licenses and identification cards, in order for the state to~~
19 ~~request reimbursement from the federal government.~~

20 ~~(e) Notwithstanding Section 40300 or any other provision of~~
21 ~~law, a peace officer shall~~ *may* ~~not detain or arrest a person solely~~
22 ~~on the belief that the person is an unlicensed driver, unless the~~
23 ~~officer has reasonable cause to believe the person driving is under~~
24 ~~the age of 16 years.~~

25 ~~(f)~~
26 ~~(b) The inability to obtain a driver's license pursuant to this~~
27 ~~section does not abrogate or diminish in any respect the legal~~
28 ~~requirement of every driver in this state to obey the motor vehicle~~
29 ~~laws of this state, including laws with respect to licensing, motor~~
30 ~~vehicle registration, and financial responsibility.~~